

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Rock F. Diulus
aka Rocco F. Diulus
Debtor(s)

Bankruptcy Case No.: 15-23287-CMB

Chapter: 13
Docket No.: 39 - 38
Concil. Conf.: May 3, 2018 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **April 2, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **April 17, 2018**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **May 3, 2018 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: February 16, 2018

cm: All Creditors and Parties In Interest

Carlota M. Bohm
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecur, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Rock F. Diulus
 Debtor

Case No. 15-23287-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: kthe
 Form ID: 410

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 Total Noticed: 30

Date Rcvd: Feb 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2018.

db +Rock F. Diulus, 3853 Dalewood Street, Pittsburgh, PA 15227-3509
 14103773 +AT&T Federal Credit Union, 635 Grant Street, Pittsburgh, PA 15219-4404
 14103774 Barclay's Bank, c/o Card Services, P.O. Box 8801, Wilmington, DE 19899-8801
 14103776 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Best Buy, P.O. Box 183195, Columbus, OH 43218-3195)
 14103778 Capital One Bank, P.O. Box 71083, Charlotte, NC 28272-1083
 14126784 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14103780 Chase Bank, P.O. Box 94014, Palatine, IL 60094-4014
 14103781 Citibank, P.O. Box 6500, Sioux Falls, SD 57117-6500
 14142405 ECAST SETTLEMENT CORPORATION, ASSIGNEE, OF CITIBANK, N.A., POB 29262,
 NEW YORK, NY 10087-9262
 14103791 Target, c/o Target Card Services, P.O. Box 660170, Dallas, TX 75266-0170
 14103792 Value City Furniture, c/o Comenity Bank, P.O. Box 182273, Columbus, OH 43218-2273

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscidi@recoverycorp.com Feb 17 2018 02:38:49 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
 14103772 E-mail/PDF: gecscedi@recoverycorp.com Feb 17 2018 02:38:48 Amazon, c/o Synchrony Bank, P.O. Box 960013, Orlando, FL 32896-0013
 14165369 +E-mail/Text: bncmail@w-legal.com Feb 17 2018 02:42:56 CERASTES, LLC, C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14103783 E-mail/PDF: creditonebknotifications@resurgent.com Feb 17 2018 02:48:53 Credit One Bank, P.O. Box 60500, City of Industry, CA 91716-0500
 14107785 E-mail/Text: mrdiscen@discover.com Feb 17 2018 02:42:19 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14103785 E-mail/Text: mrdiscen@discover.com Feb 17 2018 02:42:19 Discover Card, c/o Discover Financial Services, P.O. Box 6103, Carol Stream, IL 60197-6103
 14165075 E-mail/PDF: resurgentbknotifications@resurgent.com Feb 17 2018 02:48:53 LVNV Funding, LLC its successors and assigns as, assignee of LC Trust I, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14147182 E-mail/PDF: resurgentbknotifications@resurgent.com Feb 17 2018 02:48:52 LVNV Funding, LLC its successors and assigns as, assignee of FNB, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14741944 E-mail/PDF: resurgentbknotifications@resurgent.com Feb 17 2018 02:49:52 LVNV Funding, LLC its successors and assigns as as, PO Box 10587, Greenville, SC 29603-0587
 14103787 +E-mail/Text: bk@lendingclub.com Feb 17 2018 02:43:10 Lending Club, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
 14103788 E-mail/PDF: gecscedi@recoverycorp.com Feb 17 2018 02:38:58 Lowe's, c/o Synchrony Bank, P.O. Box 530914, Atlanta, GA 30353-0914
 14134419 E-mail/Text: bkr@cardworks.com Feb 17 2018 02:42:17 MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14103789 E-mail/Text: bkr@cardworks.com Feb 17 2018 02:42:17 Merrick Bank, P.O. Box 660397, Dallas, TX 75266-0397
 14159921 +E-mail/Text: bankruptcydpt@mcmcg.com Feb 17 2018 02:42:47 Midland Credit Management, Inc, as agent for MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 14164362 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 17 2018 03:02:53 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14103790 E-mail/PDF: gecscedi@recoverycorp.com Feb 17 2018 02:38:37 Paypal, P.O. Box 960080, Orlando, FL 32896-0080
 14109220 E-mail/PDF: rmscidi@recoverycorp.com Feb 17 2018 02:38:59 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
 14132031 +E-mail/Text: bncmail@w-legal.com Feb 17 2018 02:42:56 TD BANK USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14103793 +E-mail/PDF: gecscedi@recoverycorp.com Feb 17 2018 02:38:37 Walmart, c/o Synchrony Bank, P.O. Box 530927, Atlanta, GA 30353-0927

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BANK OF AMERICA, N.A.
 14103775* Barclay's Bank, c/o Card Services, P.O. Box 8801, Wilmington, DE 19899-8801
 14103786* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Home Depot, c/o Home Depot Credit Services, P.O. Box 182676, Columbus, OH 43218-2676)
 14103777* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Best Buy, P.O. Box 183195, Columbus, OH 43218-3195)
 14103779* Capital One Bank, P.O. Box 71083, Charlotte, NC 28272-1083
 14103782* Citibank, P.O. Box 6500, Sioux Falls, SD 57117-6500
 14103784* Credit One Bank, P.O. Box 60500, City of Industry, CA 91716-0500

TOTALS: 1, * 6, ## 0

District/off: 0315-2

User: kthe
Form ID: 410

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Total Noticed: 30

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***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 16, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor BANK OF AMERICA, N.A. agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Kenneth Steidl on behalf of Debtor Rock F. Diulus julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-ste
inberg.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmeecf@chapter13trusteewdpa.com

TOTAL: 5